IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 5591 of 2007

DATE OF DECISION: 18.04.2007

Mithlesh Kumari ....Petitioner

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE L.N. MITAL

PRESENT: Mr. R.K. Arora, Advocate for
for the petitioner.

J.S. Khehar, J. (oral)

Learned counsel for the petitioner states, that the petitioner has not been granted proficiency step up under the Assured Career Progression Scheme, despite the fact that the petitioner qualifies for the same. It is, therefore, that the petitioner after having issued a number of representations, submitted a legal notice dated 22.12.2006 (Annexure P7), requiring the respondents to determine the claim of the petitioner under the aforesaid scheme. Despite thereof, it is submitted that no decision on the issue has been taken by the respondents.

Learned counsel for the petitioner states, that the petitioner will be satisfied if the instant writ petition is disposed of with a direction to respondent No.3 i.e. the District Education Officer (Elementary Education), Amritsar, requiring him to take a final decision on the legal notice dated 22.12.2006 (Annexure P7).

Notice of motion.

On our asking, Mr. B.S. Chahal, Assistant Advocate General,

Punjab, accepts notice on behalf of respondents No.1 to 4. Learned counsel for the respondents states that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioner.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.3 i.e. the District Education Officer (Elementary Education) Amritsar, to take a final decision on the legal notice dated 22.12.2006 (Annexure P7), by passing a well reasoned speaking order within two months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to her within a further period of one month. It is, however, clarified that the petitioner will be entitled to arrears limited to a period of three years and two months before the filing of the instant writ petition. It is also clarified that the instant writ petition was filed on 18.4.2007.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(L.N. Mittal)
Judge

April 18, 2007.
vig